

CITY OF PASADENA
City Council Minutes
April 6, 2020 – 2:00 P.M.
City Hall Council Chamber

UNOFFICIAL UNTIL
APPROVED BY CITY COUNCIL

SPECIAL MEETING

The virtual meeting was convened pursuant to Executive Order N-29-20 issued by Governor Gavin Newsom on March 30, 2020 at 2:00 p.m., and was held solely by videoconference/teleconference

OPENING:

Mayor Tornek called the special meeting to order at 2:07 p.m. The pledge of allegiance was led by City Attorney/City Prosecutor Michele Beal Bagneris.

ROLL CALL:

Councilmembers:

Mayor Terry Tornek
Vice Mayor Tyron Hampton
Councilmember Victor Gordo
Councilmember John J. Kennedy
Councilmember Steve Madison
Councilmember Gene Masuda
Councilmember Margaret McAustin
Councilmember Andy Wilson

Staff:

City Manager Steve Mermell
City Attorney/City Prosecutor Michele Beal Bagneris
City Clerk Mark Jomsky

**RECOMMENDATIONS
FROM OFFICERS AND
DEPARTMENTS**

**ESTABLISHMENT OF AN ALTERNATE CARE FACILITY TO
TREAT COVID-19 PATIENTS**

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15269 (emergency projects), and Section 15301 (existing facilities); and,
- (2) Authorize the City Manager to enter into a contract with Redrock Entertainment Services, in an amount not-to-exceed \$700,000 without competitive bidding pursuant to City Charter Section 1002(G), contracts for labor, material, or supplies for actual emergency work, and Pasadena Municipal Code Section 4.08.049, subdivisions (A)(6), labor, material, supplies or services for actual emergency work and (B), contracts for which the City's best interests are served, to furnish and deliver equipment necessary to establish a Temporary Medical Facility at the Pasadena Center for a three month period; (Contract No. 37100)
- (3) Authorize the City Manager to enter into a zero-dollar Services Agreement with Pasadena Hospital Association (dba Huntington Memorial Hospital) without competitive selection pursuant to Pasadena Municipal Code Section 4.08.049, subdivisions (A)(6), labor, material, supplies or services for actual emergency work and (B), contracts for which the City's best interests are served, for the operation of the Temporary Medical

Facility, during the pendency of its establishment at the Pasadena Center; and, (Contract No. 23,340)

(4) Appropriate \$700,000 from the City's 5% General Fund reserve to the non-departmental portion of the Fiscal Year 2020 Operating Budget. (Budget Amendment No. 2020-36)

City Manager Mermell summarized the agenda report as part of his oral presentation, and responded to questions. Lori J. Morgan, M.D., President and CEO of Huntington Memorial Hospital, provided information on state-mandated hospital bed requirements, and details regarding the establishment of a Temporary Medical Facility at the Pasadena Conference Center in partnership with the City; and responded to questions. Javan Rad, Chief Assistant City Attorney, responded to questions related to the liabilities and risks. Bryan Frieders, Acting Fire Chief, responded to questions related to floor layout at the Temporary Medical Facility, and the selection process for the contractor to setup the Facility. Dr. Ying-Ying Goh, Director of Public Health, provided information on COVID-19 local and regional illness projections, and responded to questions.

In response to Councilmember Kennedy's inquiry related to the status of the Pasadena Center Operating Company (PCOC) insurance policy, City Attorney Bagneris stated that PCOC has a special liability insurance policy coverage up to \$3 million with the City, and stated that she will confirm whether the Temporary Medical Facility will fall within the scope of the current policy.

Councilmember Wilson asked staff to be mindful of the concerns of adjacent residents to the Conference Center, and ensure that the security plan addresses patient transportation to and from PCOC to maximize public safety and mitigate risks.

Councilmember Gordo asked HMH staff to provide information on the number of COVID-19 patients that have recovered and have been discharged from the hospital.

Councilmember Madison asked staff to provide him with copies of the contract with Redrock Entertainment Services.

Vice Mayor Hampton asked staff to ensure that HMH only utilize the Temporary Medical Facility as a worst case scenario basis.

City Clerk Jomsky reported that two letters were received in favor of the staff recommendation, with one letter in opposition, and with all letters distributed to the City Council, posted online, and made part of the record for this item. In addition, a public comment from Vincent DeRosa, Pasadena resident, was read aloud expressing public safety concerns for adjacent residents related to the proposed Temporary Medical Facility.

Following discussion, it was moved by Councilmember McAustin, seconded by Councilmember Kennedy, to approve the staff recommendation:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

City Manager Mermell reported that at the next City Council meeting, staff will provide an update on the City's proposed meal program and reported that staff is working with small restaurants and connecting them with business opportunities to provide meals, and is working with nine food providers in the City to develop meal programs.

CONSENT CALENDAR

Item discussed separately

AUTHORIZATION TO ENTER INTO A STANDARD AGREEMENT WITH THE STATE OF CALIFORNIA TO RECEIVE \$105,625.89 IN COVID-19 EMERGENCY RESPONSE GRANT FUNDS

ADOPTION OF A RESOLUTION ACCEPTING THE "CERTIFICATE OF THE CANVASS OF THE ELECTION RETURNS" AS PREPARED AND CERTIFIED BY THE LOS ANGELES COUNTY REGISTRAR-RECORDER/COUNTY CLERK FOR THE PASADENA PRIMARY NOMINATING MUNICIPAL ELECTION CONSOLIDATED WITH THE MARCH 3, 2020 PRESIDENTIAL PRIMARY ELECTION

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is not a project subject to California Environmental Quality Act (CEQA) as defined in Section 21065 and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and

(2) Adopt a resolution accepting the "Certificate of the Canvass of the Election Returns" (Exhibit A to the resolution) as prepared and certified by the Los Angeles County Registrar-Recorder/County Clerk for the Pasadena Primary Nominating Municipal Election, Consolidated with the Presidential Primary Election held on March 3, 2020 declaring (Resolution No. 9775):

(a) The following persons, receiving a majority of the votes cast, are elected to the following offices:

Tyron Hampton	Member of the City Council, District 1
Felicia Williams	Member of the City Council, District 2
Gene Masuda	Member of the City Council, District 4
Steve Madison	Member of the City Council, District 6

- (b) In the Mayoral race, no candidate received a majority of the total votes cast, with the following two candidates receiving the highest number of votes at the Primary Nominating Municipal Election, and their names shall be placed on the ballot at the General Municipal Election to be held on November 3, 2020:

Victor M. Gordo	18,586 votes	(46.52%)	Mayor
Terry Tornek	16,607 votes	(41.57%)	Mayor

CLAIMS RECEIVED

Claim No. 13,510 Judy Morales \$ 3,341.86

It was moved by Councilmember McAustin, seconded by Councilmember Masuda, to approve all items on the Consent Calendar, with the exception of Item 1 (Authorization to Enter Into a Standard Agreement With the State of California), which was discussed separately:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek
NOES: None
ABSENT: None
ABSTAIN: None

CONSENT ITEM DISCUSSED SEPARATELY

AUTHORIZATION TO ENTER INTO A STANDARD AGREEMENT WITH THE STATE OF CALIFORNIA TO RECEIVE \$105,625.89 IN COVID-19 EMERGENCY RESPONSE GRANT FUNDS

Recommendation: It is recommended that the City Council:

- (1) Find that the recommended action is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15061(b)(3), the "General Rule" that CEQA only applies to projects that may have an effect on the environment;
- (2) Authorize the City Manager to enter into a contract with the State of California Business, Consumer Services, and Housing Agency (BCSH) for the receipt of emergency funding in the amount of \$105,625.89 to protect the health and safety of people experiencing homelessness and reduce the spread of the COVID-19 outbreak; and (Contract No. 23,338)
- (3) Amend the Fiscal Year (FY) 2020 Operating Budget to recognize revenues and appropriate expenditures in the amount of \$105,625.89. (Budget Amendment No. 2020-35)

William Huang, Housing Director, reported that the proposed funding is designated specifically to slow the spread of COVID-19 by providing emergency housing to highly vulnerable individuals who are homeless; provided information on actions to house such

individuals, plans to setup mobile showers and handwashing stations; and responded to questions.

Councilmember Wilson requested that staff provide additional information regarding the proposed action, including allocation of funds, available resources to support housing the homeless, and strategies and regulations for addressing any issues that may arise once individuals are housed.

Vice Mayor Hampton suggested that temporary housing units be centrally located so that service providers can provide assistance to as many homeless individuals as possible.

Following discussion, it was moved by Councilmember Wilson seconded by Councilmember Masuda, to approve the staff recommendation:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

PUBLIC HEARINGS

PUBLIC HEARING: SUBMITTAL OF PUBLIC HOUSING AGENCY FIVE-YEAR PLAN (2020-2025) AND ANNUAL PLAN (2020) TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Recommendation: It is recommended that the City Council cancel the public hearing, which will be re-noticed for a later meeting date.

It was moved by Vice Mayor Hampton, seconded by Councilmember McAustin, to cancel the public hearing:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek

NOES: None

ABSENT: None

ABSTAIN: None

RECOMMENDATIONS FROM OFFICERS AND DEPARTMENTS

Continued

ADOPTION OF A RESOLUTION SUSPENDING COLLECTION OF THE LIGHT AND POWER SURTAX ("UNDERGROUND SURTAX") FOR A PERIOD EQUAL TO SIX MONTHLY OR THREE BI-MONTHLY UTILITY BILLING CYCLES EFFECTIVE UPON ADOPTION OF THE RESOLUTION AND PROVIDING FOR CUSTOMER REBATES

Recommendation: It is recommended that the City Council:

(1) Find that the proposed action is not a project subject to California Environmental Quality Act (CEQA) as defined in Section

21065 of CEQA and Section 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required for the project; and

(2) Adopt a resolution suspending the collection of the Light and Power Surtax ("Underground Surtax") for a period equal to six monthly or three bi-monthly utility billing cycles effective upon adoption of the Resolution and providing for customer rebates. (Resolution No. 9776)

City Manager Mermell summarized the staff report as part of his oral presentation; and responded to questions.

Councilmember McAustin spoke in favor of the staff recommendation to help local businesses.

City Clerk Jomsky reported that five letters were received in favor of the staff recommendation, with two letters providing comments and concerns, and with all letters distributed to the City Council, posted online, and made part of the record for this item. In addition, a public comment from Paul Little, President of the Pasadena Chamber of Commerce, was read aloud in support of the staff recommendation, and advocated for additional financial support for local small businesses in Pasadena.

Following discussion, it was moved by Councilmember Wilson seconded by Councilmember Masuda, to approve the staff recommendation:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek
NOES: None
ABSENT: None
ABSTAIN: None

ORDINANCE – ADOPTED

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTIONS 17.30.030, 17.50.300, AND 17.80.020 OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO MAKE SINGLE-ROOM OCCUPANCY A PERMITTED USE IN ALL CD ZONING DISTRICTS AND INCREASE THE MAXIMUM UNIT SIZE TO 375 SQUARE FEET" (Introduced by Vice Mayor Hampton) (Ordinance No. 7360)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek
NOES: None

ABSENT: None
ABSTAIN: None

Adopt "AN ORDINANCE OF THE CITY OF PASADENA AMENDING SECTION 17.46.250 OF TITLE 17 (ZONING CODE) OF THE PASADENA MUNICIPAL CODE TO REDUCE MINIMUM PARKING REQUIREMENTS FOR CERTAIN USES IN THE CD-4 ZONING DISTRICT" (Introduced by Councilmember Kennedy) (Ordinance No. 7361)

The above ordinance was adopted by the following vote:

AYES: Councilmembers Gordo, Kennedy, Madison, Masuda, McAustin, Wilson, Vice Mayor Hampton, Mayor Tornek
NOES: None
ABSENT: None
ABSTAIN: None

INFORMATION ITEM

PREDEVELOPMENT PLAN REVIEW OF A SINGLE-ROOM OCCUPANCY BUILDING PROPOSED AT 274-282 NORTH OAKLAND AVENUE

Recommendation: This report is intended to provide information to the City Council; no action is required.

Mayor Tornek summarized correspondence from Pasadena Studios LLC and Bridge Financial Advisors, noting that the proposed project no longer requires conditional use permits, or variance and is intending to use the City's incentives.

City Clerk Jomsky reported that one letter was received providing comments and expressing concerns related to the proposed project, which was distributed to the City Council, posted online and made part of the record for this item.

Councilmember Kennedy requested that the item return to the City Council, asking that the project developers also participate and have an opportunity to respond to questions regarding the proposed project.

Following discussion, by consensus of the City Council, and on order of the Mayor, the information was received and filed.

On order of the Mayor, the regular meeting recessed at 4:01 p.m. to discuss the following closed session (Absent: None):

CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL regarding pending litigation pursuant to Government Code Section 54956.9(d)(1)

Name of Case: Ivis Moran v. City of Pasadena et al

LASC Case Nos.: EC064281, BS173993; USDC Case No: 2:15-cv-09136-JAK-MRV

**CITY COUNCIL CONFERENCE WITH LEGAL COUNSEL
regarding pending litigation pursuant to Government Code
Section 54956.9(d)(1)**

Name of Case: Eve Komesar v. City of Pasadena

LASC Case No.: BC677632

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

**Agency Designated Representatives: Jennifer Curtis and
Steve Mermell**

**Employee Organization: Laborers' International Union of
North America, Local 777 (LIUNA)**

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

**Agency Designated Representatives: Jennifer Curtis and
Steve Mermell**

**Employee Organizations: American Federation of State,
County and Municipal Employees (AFSCME), Local 858,
International Brotherhood of Electrical Workers (IBEW),
Pasadena Police Officers Association (PPOA), Service
Employees International Union (SEIU), Local 721, and Non-
Represented Executive, Non-Represented Management, and
Non-Represented Non-Management**

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

**Agency Designated Representatives: Jennifer Curtis and
Steve Mermell**

**Employee Organizations: Pasadena Firefighters Association
(PFFA)**

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

**Agency Designated Representatives: Jennifer Curtis and
Steve Mermell**

**Employee Organization: Pasadena Fire Management
Association (PFMA)**

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6**

**Agency Designated Representatives: Jennifer Curtis and
Steve Mermell**

**Employee Organization: Pasadena Management Association
(PMA)**

**CITY COUNCIL CONFERENCE WITH LABOR NEGOTIATORS
pursuant to Government Code Section 54957.6
Agency Designated Representatives: Jennifer Curtis and
Steve Mermell
Employee Organization: International Union of Operating
Engineers (IUOE**

**CITY COUNCIL CONFERENCE REGARDING PUBLIC
EMPLOYEE PERFORMANCE EVALUATION pursuant to
Government Code Section 54957
Employee Title and Unrepresented Employee: City Clerk
City Representative: Terry Tornek**

The above closed session items were discussed, with no reportable action at this time.

ADJOURNMENT

Following closed session discussion, on order of the Mayor, the regular meeting of the City Council adjourned at 7:38 p.m.

Terry Tornek, Mayor
City of Pasadena

ATTEST:

City Clerk